

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH**

ISIAH ANDREW ROTEN,

Plaintiff,

vs.

GEORGE LITTLE, et al.,

Defendants.

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Civil Action No. 2:23-cv-00020

United States Magistrate Judge
Cynthia Reed Eddy

ORDER

AND NOW, this 8th day of April, 2024, in accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** as follows:

1. The Motion to Dismiss filed by the Medical Defendants (ECF No. 27) is **GRANTED IN PART** and **DENIED IN PART** as follows:

a. the request to have all claims brought pursuant to Title II of the ADA and Section 504 of the Rehabilitation Act against the Medical Defendants is **GRANTED**;

b. the request to have all Section 1983 claims brought against the Medical Defendants is **DENIED**; and

c. the request to have Plaintiff's request for punitive damages is **DENIED** without prejudice to the Medical Defendants raising this issue, if appropriate, at summary judgment.

2. The Motion to Dismiss filed by the Corrections Defendants (ECF No. 33) is **DENIED** in its entirety.

3. The Motion to Dismiss filed by the Centurion Defendants (ECF No. 48) is **GRANTED IN PART** and **DENIED IN PART** as follows:

a. the request to have all claims brought against Centurion Defendants Trout, Renberg, and Mason based on failure to fully exhaust administrative remedies is **GRANTED** and these Defendants are hereby dismissed from this lawsuit;

b. the request to have all claims brought pursuant to Title II of the ADA and Section 504 of the Rehabilitation Act against the Centurion Defendants is **GRANTED**; and

c. the request to have all Section 1983 claims brought against the remaining Centurion Defendants is **DENIED**.

In sum, only the remaining claims will proceed to discovery: (i) claims brought under Title II of the ADA and Section 504 of the Rehabilitation Act against the Corrections Defendants in their official capacities only; and (ii) Section 1983 claims for violations of the Eighth and Fourteenth Amendments against the Medical Defendants, the Corrections Defendants, and the remaining Centurion Defendants.

Defendants shall file an Answer on or before **April 23, 2024**.

s/Cynthia Reed Eddy
Cynthia Reed Eddy
United States Magistrate Judge

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All Counsel of Record
(via ECF electronic notification)